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THE OPINION

Volume 13, Number 1

State University of New York at Buffalo School of Law

September 15, 1972



Belling

Law Review Selects New Candidates

The Board of Editors of the *Buffalo Law Review* has announced the names of twenty-five students who have been selected as candidates for membership for 1972. Those named were: Christopher B. Ashton; William R. Brennen, Jr.; Marylou Clark; James W. Clute; Donald L. (Skip) Conover; William B. Day; Mark R. Finkelstein; William J. Flynn III; Susan Ginsberg; Myra Goldstein; Dennis M. Hyatt; Michele Heffernan; Anthony Ilardi, Jr.; Morris L. Horwitz; Philip J. Levine; Linda Mead; Vincent L. Morgan; George Neidich; Russell W. Petit; George B. Quinlan, Jr.; Jonathan Rapoport; Sheldon Repp; Carl R. Reynolds; Tricia Semmelhack; and Barry Taub.

The basis of candidate selection this year was a writing competition held during the spring semester which was open to all freshmen students. Participants were asked to complete a modified "casenote"; an analysis of a recent court decision requiring a statement of facts, exposition of judicial reasoning and a subjective appraisal of the case's impact upon the law. The submitted papers were judged on the basis of writing ability displayed, depth of analysis and technical competence. Authors of those papers scored as being superior in overall quality were invited to *Review* candidacy.

According to David Sands, Editor-in-Chief for 1972-73, the increased emphasis on the writing competition as a means of candidate selection reflects an awareness that the traditional reliance upon academic performance is not always an adequate indicator of personal ability or writing skill. "Certainly the *Review* encourages academic scholarship," said Mr. Sands. "However, particularly where an individual is financially obliged to seek employment during the school year or has pressing family commitments, academic performance cannot be a complete measure of individual capabilities. Of course it must be recognized that as a forum for legal writing, the *Review* demands a membership possessing writing talent. The writing competition assists us in fulfilling this need."

The new *Review* candidates are already busily pursuing their new responsibilities. For the next six months they will be engaged in legal writing as well as publication duties. In March a new Board of Editors and senior membership will be chosen.

As the scholarly publication representative of our law school, the *Buffalo Law Review* is most anxious to receive suggestions from the student body. The Board of Editors particularly wants to extend an invitation to freshmen to visit them in room 219.

Freshman Isolation Grows

by Rosalie Stoll

"I've been here almost two weeks and I still haven't met an upperclassman," one freshman stated. "All my classes are in P-1."

Until the completion of the new law school building, the school has had to use the classroom facilities in the Prudential Building to supplement the two West Eagle classrooms. Eleven of the twelve freshman courses are meeting in Prudential. Section 3 has all its classes in P-1. Three of Section 1's classes are held in P-2, a room notorious for its poor ventilation and acoustics.

Freshmen have no Bulletin Board in Prudential. There is no study area, no library facilities, no restrooms nearby and no lockers. There are, however, coat racks.

The key word facing the freshmen is isolation. With no study area or lounge facilities available to the students, they have the choice of walking the two blocks to Eagle St. for a cup of coffee (a possibility that will seem much less attractive come the first snowfall) or of going to the UN Restaurant. Through the desperation of the freshmen, they are forced to miss valuable social interaction with upperclassmen.

There are no areas empty and available for the installation of lockers. Freshmen have been assigned lockers at Eagle St. While this is only a problem for those with heavy books, it will increasingly grow in annoyance potential as the Buffalo winter takes its toll.

The faculty lounge and library are not available to students, freshmen have been told.

Despite the spatial displacement of the freshmen, the bulletin board delivering them emergency messages, course assignments and cancellations and informing them of school activities is still located on Eagle Street.

Freshmen have met with Assistant Dean



Dunleavy

Marjorie Mix and voiced their difficulties. Arrangements are underway by the Administration and SBA to set up a bulletin board on the 6th Floor Prudential which will carry duplicate messages. Seminar rooms will also be made available as study rooms when no classes are assigned.

Despite these stop-gap measures, the isolation of one third of our students remains a distasteful reality.



Dunleavy

Macaulay to Speak

Next Thursday, the Distinguished Visitors Forum will present visiting Professor Stewart Macaulay speaking on legal systems in Chile, "The Road to Socialism through Bourgeois Legality." Professor Macaulay has spent the past year and a half in Chile and has devoted his time to the study of the legal and political situation there.

Editorial

Booked Up?

After two weeks of classes, most students are quickly settling down to the arduous task at hand — plowing through the massive volumes they are expected to have mastered by January. Some, however, are not. This is not through any intrinsic laziness on their own parts, but rather due to the fact that they have no books to look at.

Several of these books are not available in the library in updated versions, so students and professors in these courses have had to make do with mimeographed notes — placing an additional strain on the time of professors and their staffs.

The fault lies not with the Bookstore, which has done an admirable job of dealing with students problems and ordering and reordering books. Nor should the blame be laid to the professors — many of the books were ordered in the spring — so early, in fact, that the orders were set aside and lost by the publishing firms.

What can we do? Nothing, I've been told. The publishing firms have a monopoly on our books.

A SBA-operated used bookstore seems to be a partial answer. Studies were undertaken last year to determine whether a student-operated bookstore was feasible. This semester's experience only highlights the need for that bookstore.



by Joe Heath

Up Against The Bench

WILL RETURN NEXT ISSUE

Letters To The Editor

Nickel Coffee

To the Editor:

Last year the SBA successfully sponsored nickel coffee in the Eagle Street lounge. It was originally suspected that the coffeepot would never break even, but oddly enough, it did. So at the end of the spring semester the fund contained approximately \$20, which was just enough to underwrite the nickel coffee operation, this year.

I went to the SBA office this fall to resurrect the 100 cup coffeepot which was so carefully cleaned and stored over the summer months only to find it strangely absent. Rumors filtered through the grapevine that it had been borrowed by someone (a person unknown) for a party, but lo and behold, never returned. I would very much regret to acknowledge that it will be the fault of one individual that the entire coffee-drinking population of Eagle Street must suffer. Therefore I implore that he who borrowed it kindly return our heater of purest of Buffalo water.

Marty Miller

A Modest Proposal

Dear Editor:

It is time law students banded together in an independent cooperative drive to fight churlish efforts to curtail negligence practice through such dubious impositions by government as 'no-fault,' 'arbitration,' 'do it yourself divorce kits' and the already instituted 'small claims court.'

With increasing numbers of law students and a shortage of positions for even 'cause-oriented' young lawyers, this threat to our future status must be curbed.

I would hope that some leaders for such a group rapidly emerge from this year's freshman class — the class with the highest law board scores in this law school's history.

Sincerely,

Publius Les Loc

THE OPINION

Volume 13, Number 1
September 15, 1972

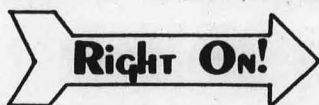
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by OTTO MATSCH

HANG 'EM HIGH

During the summer months the Supreme Court handed down *Furman v Georgia*, in which it held that the death penalty was unconstitutional as presently applied. The Court's opinion was a classical example of a grotesquely poor decision. It was bad law based on incorrect sociological assumptions, it was poorly reasoned from false premises, and it represented an effort by the Court to enact legislation without the hindrance of a legislature. In the 5-4 ruling the Court was split three ways: three justices held that capital punishment was cruel, unusual and therefore unconstitutional; two held that capital punishment was unconstitutional as applied in the three cases consolidated for the decision, and four (Nixon's four) held that capital punishment was not unconstitutional.

The opinion of the three justices holding that capital punishment was unconstitutional managed to ignore law, logic, precedent and the Constitution. Justice Marshall wrote that executions ran contrary to the will of the American people as a whole, totally ignoring that within the past 10 years Congress (elected by the people) had passed laws decreeing the death penalty for four offenses, all by overwhelming majorities, and that most states had retained capital punishment. The five managed to ignore their own prior rulings on capital punishment, one as recent as last summer, that capital punishment was constitutional. In short, capital punishment was barred by these five on policy grounds, mainly that (1) capital punishment is not nice, and that (2) it does not deter murderers and rapists, and that therefore it is unconstitutional. But these are not constitutional questions. They are the sort of problems to be settled by legislative bodies who, unlike the Court, are answerable to the electorate.

The consequences of the ruling are difficult to assess. As Chief Justice Burger pointed out, the ruling does not, in his opinion, declare capital punishment unconstitutional; it only declares it unconstitutional as applied. This leaves it up to the states to review their statutes and decide whether

they want to abolish capital punishment, or whether they want to retain it, in which case the methods of its imposition must be modified to conform to the Court's ruling. It's too arbitrary, wrote the five, which I suppose means that if everyone who was convicted was executed it would be fine, and forget about tempering justice with mercy or any of that crap.

When the legislators get around to reconsidering capital punishment they may want to consider the experience of England in this regard. Between 1946 and 1956 the per capita rate of homicides (excluding vehicular homicides) remained virtually stable at 1.8 per million. Then came the 1957 Homicide Act, eliminating the death penalty except for murder with a gun. By 1960 the homicide rate had jumped to 2.9 per million, by 1965 to 3.95 per million, and by 1970 to 5.8 per million. In 1965 the death penalty was completely abolished, but an analysis of the nature of the murders committed shows that the allegedly humanitarian interests of the parliamentarians served the criminals, not the public. Up until 1957 the murder laws had been strict, and the murderer would probably hang. After the 1957 Homicide Act the number of murders involving guns declined, but the number of murders committed by other means dramatically increased. After the 1965 abolition of capital punishment, the number of murders of all kinds increased, especially the number using guns. It is impossible to explain the shocking increase in homicides in England without making note of the corresponding decreases in use of the death penalty, and no explanation has been forthcoming from the bleeding hearts, wrist-wringers, breast-beaters and self-styled humanitarians who are more interested in the "rights" of murderers than in the rights of their victims. There is a movement afoot in England to restore the death penalty which will hopefully be successful. If it is, and if the murder rate subsequently decreases, another valuable datum will be added to the argument that holds that capital punishment may not be pleasant, but it is not nearly as "cruel and unusual" as murder.

AN OFFER YOU CAN'T RESIST . . .

I, for one, am beginning to feel mighty sorry for the self-appointed saviors who swarm among us, telling us that Amerika is so nasty, brutish, racist, imperialist, war-mongering, mercenary, uncouth, unskilled, reactionary, gun-crazy, money grubbing, corrupt, sexist, and just, like, you know, not, like, you know with it, that they can't, you know, take it, like, you know, anymore. Inevitably these same critics are always holding up such wonderful places as Red China or Red Russia as the models we should strive to emulate, both of these countries being places where peace and freedom reign undisturbed by militarism, where no one is oppressed, the government does not bug the phones of the various political parties, there is equality for all, the sick and the aged and the poor are taken care of by the beneficent government, the corporate robber barons do not rule the economy, there is no pollution and everything is just, like, you know, with it. These are also the same people that tell us that in our dealings with Utopia I and Utopia II we are always wrong, unless we appease Peking and Moscow, and that they are always right. In fact, I feel so sorry for these unfortunate people who have so much more insight into reality than the rest of us that I have devised a scheme to relieve them of the heavy burden of bearing the cross of this fascist society. No longer will the poor things be forced to live out their lives in a fit of depression.

Under my scheme, any of these superior beings whose delicate sensitivities are unable to withstand the cultural shock of American non-culture can escape to either of the available Utopias. I am willing to fund their trips myself (my financial backers are the Texas oil billionaires who have engorged themselves on the blood of the proletarian classes) as a charitable service to the unhappy souls who have been trapped in nasty ol' Amerika for so these many years. There is only one condition — never come back.

For complete details please consult me personally.

Presidents Corner

by John Hayden

The SBA is a bad business.

Bad is really quite a kind description. A more accurate word would certainly not be unprintable, and the Opinion Staff would not substitute asterisks, but the right word will remain unprinted — at least for the time being. A summer of becoming at least superficially aware of SBA shortcomings shows its business affairs to be chaotic.

Examples abound. During the last month it was discovered that the SBA and its subordinate committees have had at least four separate checking accounts. There may well be others, but there is no way to find out. Some of these accounts had been inactive for two years, and while the total sum is small, it is somewhat disturbing to find that an on-going organization can lose whole accounts.

Then came word that SBA funds were frozen as of August 25th, and must remain so until a final budget is fully prepared. This means no bills will be paid, no organizations may contract for expenditures unless they have independent resources, and that the SBA Directors will have to move far more quickly than past action indicates is likely. Traditionally we have delayed discussion until November; we can no longer afford the luxury of time. This problem, like many others, stems from poor record keeping, and the lack of continuity in the Executive Committee.

There are more examples of business ineptitude, including failure to file tax returns which may result in penalties up to \$20,000, but there is neither time

nor space to discuss all of them.

Basic changes are needed to improve SBA efficiency. The budget problem can be solved by allocating anticipated income each Spring, before the end of the semester. Possible changes in priorities can be compensated for by freezing some budgets or placing a substantial sum in a contingency fund available to the Board of Directors. It is obvious that we can't continue as in the past or we may waste a substantial part of each year during which an activities program would be stagnant.

Some of the other, more pervasive problems suggest the need for a new system of governance. Perhaps the 1st Vice-President should be elected for a two year term and serve the second as President. Though this would place the 1st Vice-President under great academic pressure, it would also solve the continuity problem. An alternative is a change in the election schedule which would have the Executive Committee and Directors elected in February.

An earlier election schedule would allow new office holders to ask questions, to examine SBA financial activities and to hold ex-officers responsible for their errors. It would also free senior officers at a time when courses, the Court of Appeals and Marino seem more important than most SBA meetings.

In any event, some changes are needed. Our present system may not actually breed business ignorance, but it certainly doesn't retard its growth either.

Law Review: Prison Symposium

"Prisons on Trial: A Symposium on the Changing Law of Corrections" highlighted the third issue of the 1971-72 Buffalo Review. The Review, under the editorship of Bernard Brodsky, included a series of articles and comments on relevant topics.

Contributors to the issue included two attorneys active in the Prisoners Rights Project of the Legal Aid Society of N.Y.C., William E. Hellerstein and Barbara A. Shapiro; also Richard G. Singer, Associate Professor of Law at the University of Cincinnati, on privacy, autonomy and dignity in prisons; Andrew von Hirsch, Executive Director of the Committee for the Study of Incarceration, on prediction of criminal conduct; William Bennett Turner and Alice Daniel from the NAACP Legal Defense and Educational Fund in San Francisco on the effects of Miranda on prisoners; Herman Schwartz, Professor of Law at Buffalo, on the ramifications of

Sostre v. McGinnis; David F. Greenberg of the Committee for the Study of Incarceration and Fay Stender of the Prison Law Project, Oakland, Calif., on the prison as a lawless agency; Douglas J. Besharov and Gerhard O.W. Mueller of NYU School of Law comparing the Attica demands with the United Nations standard minimum rules for the treatment of prisoners; Fred Cohen, professor of law at Albany, on the discovery of prison reform.

The Review also included the second part of "Dangerousness: A Theoretical Reconstruction of the Criminal Law" by Assoc. Prof. Al Katz of Buffalo. Part I was published in 19 Buffalo L. Rev. 1 (1969).

This most recent issue of the Review promises to be one of the most informative and widely cited issues in the history of the Buffalo Law Review. Copies are available in the library for perusal by students.

ALUMNI LINE

by Earl Carrel

Any school is only as strong as its Alumni Association, so beginning with the next issue of the *Opinion*, a regular feature will be *Alumni Line*. This column will be devoted to the activities of the Alumni of the Law School. There will be notes on appointments of persons to positions with government agencies and offices, formation of firms, deaths, and previews and notices of upcoming Alumni events.

Contributions of items to this column are encouraged. Please send your items to:

Alumni Line
The Opinion
77 W. Eagle Street
Buffalo, New York 14202

Our next column will feature an open letter to all law Alumni from the Association president, John H. Gridley, and a listing of the officers and directors for the 1972-1973 year, as well as regular news items.

Dr. Mix Assumes Deanship

by Tricia Semmelhack

Dr. Marjorie Mix, the new Assistant Dean of the Law School, has undertaken a variety of tasks including a vigorous start in streamlining the school's placement effort.

In a recent conversation, she discussed her philosophy of administration and outlined the areas of responsibility which have been assigned to her. Located on the 11th floor of the Prudential Building in Professor Lochner's former office, Dean Mix proposed to increase the availability of staff to assist students rather than replace avenues currently open through Provost Schwartz's and Associate Provost Greiner's office. She will provide administrative advice and support to the Academic Policy and Program Committee regarding academic standards and standing and, in addition, she is coordinating the School's preparation for the periodic ten-year reaccreditation visit coming up in October.

Her activities *vis a vis* individual students and the student body include advisement on the planning and completion of academic programs and on continuing academic eligibility. She will attend S.B.A. meetings, function as the administrative resource for graduation plans, administer financial aid programs, and maintain a liaison role with the main campus with a view to "maximizing resources available to law students." One area of special emphasis will be the better dissemination of information on the services covered by student fees [e.g., health and athletic facilities, etc.].

Of particular interest to students, especially seniors, is her involvement in the development of the law school placement program. Dean Mix will work closely with Mr. Thomas Hurley to develop a more extensive system for informing students of job opportunities. Among other things this may include a placement column in *The Opinion*. She is especially eager to have student suggestions on how to improve this vital area.

In discussing her reasons for accepting this administrative position, she described her long-standing academic and personal interest in the process of legal education. Dean Mix is an English Honors graduate of the University of Michigan, and had her first acquaintance with legal education as a student both here and in Washington, D.C. After successful completion of two years of law school study, she decided she had a stronger interest in the process of education than in the actual practice of law. She returned to SUNY/Buffalo to earn an M.A. in English and a Ph.D. in Higher Education. Her doctoral dissertation was concerned with improving



Nowak/Courtesy Univ. Info. Svcs.

"Maximizing resources available to law students" is one of the services provided by Assistant Dean Marjorie Mix. She will work to solve student problems in the area of financial aid and academics.

one's understanding of the process by which a student, undergoing a graduate educational experience, is socialized into his/her role first as a student and then as a professional. This interest is the basis of a graduate seminar which she teaches at the main campus.

Dr. Mix noted that her appointment to a full-time academic administrative position, as distinct from one which is tied to a part-time appointment to the Law Faculty, is consistent with a trend in universities to recruit professional administrative staffs to support academic programs.

Dr. Mix lives in Buffalo with her husband, David F. Mix, an attorney in private practice in Buffalo who is also counsel to the NFTA. They have four children, ages 10 to 15. She summed up her approach to her job by saying that she seeks to "translate academic policy into workable decisions" and feels that she can, in the process, be sensitive to the needs of law students.

Mead & Conover Resign SBA



Belling



Belling

The resignations of SBA Secretary Linda Mead and Second Vice President Skip Conover were announced Friday by SBA President John Hayden. Both Ms. Mead and Mr. Conover have been accepted for candidacy by Law Review and felt they could no longer expend the time demanded by both organizations.

In her role as secretary, Ms. Mead has implemented many badly needed innovations,

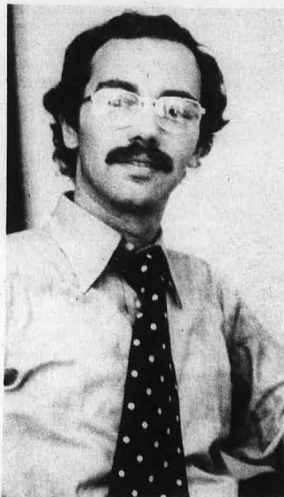
including the prompt weekly posting of minutes. Mr. Conover, as representative to Sub Board, has proved a vocal and effective advocate for the law school.

Petitions for candidates for these offices are available at Shirley's office. Both Ms. Mead and Mr. Conover will continue to serve until new officers are elected next week.

Elections will be held to fill the six freshman director positions.

New Profs Join Faculty

by Christopher Greene



After clerking with Judge Constance Baker Motley, David Steinbock now teaches Contracts.

The Law School welcomes two new professors, Stewart Macaulay and Daniel J. Steinbock, to its faculty this fall. Both men come with impressive academic credentials and show evidence of the increasing excellence of our faculty.

Mr. Macaulay received his AB and LLB degrees from Stanford in 1952 and 1954, respectively. In law school he served as Note Editor of the Stanford Law Review. After graduation, Mr. Macaulay clerked for Chief Judge William Denman, U.S. Court of Appeals, 9th Circuit. From 1957 until the present, he was a member of the faculty of the University of Wisconsin School of Law. From 1966-7, he was a fellow at the Center for Advanced Study in Behavioral Sciences. In 1970 he spent a year as director of the International Legal Center, Santiago, Chile.

As a visiting professor this year, Mr. Macaulay will be teaching Contracts both semesters and co-teaching a course in Law and Social Change with Professor Galanter. In Contracts, Mr. Macaulay will stress going beyond the rules to look at how disputes are settled. "Rules are important," he said "but no rule ever enforced itself." A good lawyer must be able to solve his client's



Stewart Macaulay, a "theorist of Contracts," has studied the legal system of Chile.

problems, and applying the rules is only

Daniel Steinbock comes here after a year of clerking for U.S. District Judge Constance Baker Motley. A *magna cum laude* graduate of Yale College in 1968 and a 1971 graduate of Yale Law School, he served as editor of the Yale Law Journal and as a member of the Barristers Union and the Legal Services Organization.

Mr. Steinbock will be teaching Civil Procedure (a) in the Fall and Evidence and a seminar in the Spring. Like Mr. Macaulay, he is interested in the dispute settlement process, going beyond the rules to ask how and why disputes are settled.

In addition to civil procedure and evidence, Mr. Steinbock is interested in the criminal process and the civil rights and equal protection field as potential areas of study. Eventually he hopes to get involved in litigation in the local area. Mr. Steinbock was drawn here by what he termed as a growing environment and an administration open to innovative change, one way of doing that, he stated. A good lawyer must know who his client is, what he really wants out of the dispute, and what the consequences of each action will be. Ultimately, Mr. Macaulay considers himself a 'theorist of contracts' whose main interest is the sociology of law.

Law School Placement Conference

by Thomas Hurley
Placement Officer

The First Annual Association for Law Placement Conference was held, as scheduled, June 27, 1972, through June 30, 1972. Much time was devoted to formal presentations; however, there were workshops where interaction and exchange of ideas occurred.

In general, the conference participants were very willing to spend time in outlining and discussing their particular placement operation. It was re-affirming to hear some of these individuals suggest things that we have just done or anticipate doing, such as our active solicitation of jobs and the development of a brochure.

The presentation by Joel A. Rose of Daniel Cantor & Co. was geared toward providing insights into the economics of law firms and their use of personnel. This talk provided excellent background information for law placement.

The panel on "Varied Careers in Law" offered some extensive information on qualification and need for qualified candidates in court administration and the field of law librarianship. The placement services of the American Association of Law Schools were also outlined. General comments were made regarding a variety of fields, such as pre-paid law services, public interest, wage-price freeze,

associations and foundations, and others. Many problems and influences were also mentioned, such as the economy, limited positions, specialization, experience, etc.

Another session dealt with paralegals. It appears that paralegal assistants are being accepted and are proving to be an asset to many firms. This, of course, can have a real impact on the legal community and legal opportunities. Another tangent would be the benefit of a recent graduate being able to utilize the expertise of paralegal assistants.

Many of the participating institutions supplied conference participants with sample materials which should be beneficial in our placement operation. The American Bar Association also provided some brochures and publications, some of which should be of interest to our students.

In summary, I feel some invaluable contacts and insights were gained from the First Annual National Association for Law Placement Conference. It has confirmed many of my ideas that public relations and a good reputation are of paramount importance to us. Faculty, students and administrations must work to build our program if placement activities are to continue to grow at a rapid rate.

Meetings to discuss placement will be held in the near future.

Fee Waiver

CRITERIA FOR STUDENT ACTIVITY FEE WAIVER

Passed by SBA Sept. 15, 1972

- I. Student Activity Fees will be waived for one semester upon application to the Treasurer of the Student Bar Association for each applicant who meets any of the following criteria:
 - (a) The pre-existing academic indebtedness, measured as of the beginning of the fall semester exceeds
 - (1) freshmen - \$3,000
 - (2) juniors - \$4,500
 - (3) seniors - \$6,000.
 - (b) The student's "unmet need" as determined by the University Financial Aid Office exceeds \$2,000.
- II. Student Activity Fees may be waived at the discretion of the SBA Treasurer when a student who makes application for a fee waiver presents substantial evidence of financial hardship.
- III. In the event that the SBA Treasurer denies the application for Student Activity Fee Waiver the student/applicant may appeal that decision to the office of Financial Aids.
- IV. Definitions:
 - (a) academic indebtedness: educational loans, either NYHEC or NDSL loans.
 - (b) unmet need: anticipated income need, as determined by the University Financial Aids Office in excess of the student's ability to borrow NDSL funds.
- V. Fee Waivers shall in all cases be contingent upon the filing of a Financial Statement by the student/applicant in the University Financial Aids Office; and upon the receipt of an application for fee waiver by the SBA Treasurer by the 15th day after the first day of classes except that the period shall be 30 days for the Fall semester of the 1972-1973 academic year.
- VI. Students granted fee waivers shall have the same rights and privileges as students who pay fees.

SBA Treasurer Bill Buscaglia announces that applications for fee waivers are available on the 11th floor Prudential and Shirley's office. Eligible students are urged to apply as soon as possible.

The Environmental Crisis

by Bob Doren

ASK THE LEMMINGS

Our lives meet like sand and sea
Only to be swept away.
But tides return;
How long we cannot say.

For now I stay afloat on the waters;
My eyes blinded,
I cannot see
And I think of better times.

For the outcry of thousands
Is the salt between my lips.
But my struggles
Are answered by the tides.

For the Lemmings make fools of us all,
Giving some mystical aura to existence
As the truth becomes uncovered and uninfested
From the adornments and rituals which our sages never knew.

Noah's ark was but seven years ago,
Or so the Lemmings say.
For it is again our turn
To meet the tides.

For once the sand is dirtied by the rising waters,
Once my eyes must be shaded even to the clouds
And even my adornments are burned by the rain,
My mystical aura becomes my reality.

It is for the ark that we are swept away;
We will never see it.
But it's made out of bodies
And thus we follow those strange creatures.

Very strange . . .
We are the teachers;
Who is left?
I hope they build the ark . . .

Dateline: September 1, 2010
Indianapolis, Indiana

1. The fifteen members of an association called G.U.L.P., God Understands Lemmings and People, went to the beach and voluntarily walked into the Atlantic Ocean today. All fifteen members are presumed drowned, although their bodies have not yet been found.

2. On the financial scene, the Dow Jones Average was up 4 points and the Utilities were up .04 . . .

Signs of the Times

9/7/72

HOUSING
INFORMATION

DOWNSTAIRS
AT
MONOPOLY GAME-

Marty, Lou + Paul in blueshirts-

The GREAT Bike Rip-Off



Osterreicher/Courtesy The Spectrum

by Larry D. Shapiro

Another year — new sights — and old familiarities. The bookstore, good old Eagle St; and another year of that gnawing feeling: WILL MY BIKE BE THERE AFTER CLASS?

This year, the number of students that will depend on bicycles as their primary means of transportation will be significantly larger than ever before. Biking to school is fun, healthy, CHEAP, and non-polluting. Already we see the ridiculous number of bikes chained to parking meters, sign posts, light poles, etc., up and down Eagle St. But the space problem is minimal compared with the cold hard fact that several bikes were ripped off last

year and more will be ripped off this year unless we do something to prevent the thefts.

What can be done? We could sit apprehensively in class every day. We could cut all our classes so we wouldn't have to subject our bikes to the risk of being stolen. Or there could be an effective method to store the bikes safely within the facilities of the law school. It is obvious that there is a space problem at the law school, but the magnitude of the situation demands an immediate solution.

We could solve the bike problem by the SBA's allocating funds to obtain several bike racks, and having them, positioned either on the sidewalk in front of

the school, with someone always on guard (this would require the City of Buffalo to change its ordinance against bike racks on sidewalks), or the racks could be put in the grassy area outside of the lounge (this would require carrying your bike through the lobby every day), or a room for bikes could be obtained within the building. In desperation, some bike owners have been talking about chaining their bikes to their lockers.

Something must be done, and quickly. Stronger locks and chains are not the answer. You need at least a 25-lb. chain to prevent a thief equipped with easily obtainable tools.

Please, SBA, let's get right on it — before the first bike is stolen.

Frosh Enter Law School

by Rosalie Stoll

Hosted by Moot Court Chairman Peter Clark, Orientation '72 was held Sept. 8 for over 180 new freshmen. Traditionally a two-day program, the focus of this year's orientation was a presentation of the functions of the law school, both curricular and extracurricular.

In his address, Dean Schwartz stated that a diversity of backgrounds is encouraged as well as unified through common legal intellectual processes. He pointed to the new clinics that have been implemented and discussed the summer clinical studies and proposals.

The Dean encouraged the dialogue between students and faculty and administration. He concluded with his hopes that students have the courage to contest and examine any statement made to them in law school.

Dr. Marjorie Mix discussed services available to law students on the main campus. Law School activities were discussed by representatives of the Association of Women Law Students, Concerned Students for Peace and Freedom, the Law Student Division of the ABA, the Attica Defense League, Law Review, Moot Court, the Opinion, Law Wives, Legal Observers, BALSA, the International Law Club and Prisoner Release.

In the afternoon, box lunches were provided by Law Wives. Freshmen were then divided into small discussion groups where



Dunlaw

they met with upperclassmen who rapped informally about their own problems as freshmen. The discussion groups, coordinated by Larry Zimmerman, covered a wide range of problems, from where to find inexpensive parking to how to write a brief. Four specialized discussion groups were also held.

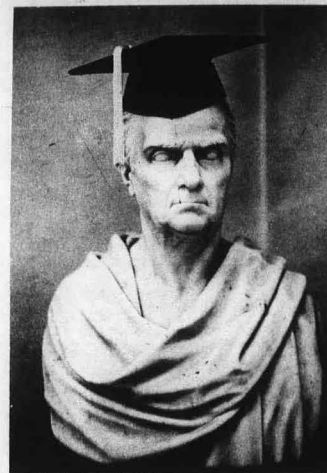
A rare opportunity to meet alumni and local attorneys was afforded later in the afternoon at the Plaza Suite. Through an open invitation, attorneys were invited to meet with the incoming freshmen. Many, along with faculty, administration and upperclassmen, took advantage and discussed their own law school experiences over cocktails. Coordinated by Buffy Burke and hosted by Phil Sanzone and Ms. Burke, the party was an extension of the warm greeting given the incoming freshman class by the legal community.

Spring Grades: Blind Justice

The following is a chart of the grades for the Spring semester.

The rating system was compiled as follows: Each grade was assigned a value (HD = 4, H = 3, Q = 2, D = 1, F = 0, U = 0). Then the total number of points was divided by the number of persons who received a grade in that course. With this system, any course which had an average grade of Q would receive a 2.00 rating.

As far as the value of the grades themselves, you can draw your own conclusion.



Course & Professor:	No.																No				
	Stds.	HD	%	H	%	Q	%	D	%	F	%	U	%	I	%	Grade	%	Wdr.	%	Rating	
JUNIOR/SENIOR:																					
Legal Ec., Ethics — Rickert	20	0	0	3	15.00	16	80.00	0	0	0	0	1	5.00	0	0	0	0	0	0	2.20	
Agency & Partnership — Zimmerman	42	0	0	4	9.52	19	45.22	0	0	0	0	6	14.18	0	0	12	28.56	1	2.38	1.38	
Insurance — Donegan	36	0	0	6	16.62	26	72.02	2	5.54	1	2.27	0	0	0	0	0	0	0	0	2.06	
Family Law — L. Schwartz	73	0	0	8	11.06	49	66.73	9	12.33	5	6.85	0	0	0	0	2	2.74	0	0	1.84	
Social Leg. — Davidson	14	0	0	2	14.28	10	71.40	0	0	0	0	0	0	0	0	2	14.28	0	0	2.17	
Conflicts — Franklin	169	20	11.20	66	38.94	68	40.12	0	0	0	0	1	0.59	0	0	12	7.08	2	1.18	2.62	
Gov't. Lit. — Manak	19	2	10.52	9	47.34	5	26.30	0	0	0	0	0	0	0	0	3	15.78	0	0	2.81	
Crim. Pro — H. Schwartz	104	0	0	30	28.80	62	59.52	2	1.92	1	0.96	0	0	0	0	6	5.76	2	2.88	2.27	
Crim. Pro — Birzon	99	1	1.01	11	10.10	79	79.79	3	3.03	0	0	0	0	2	2.02	2	2.02	1	1.01	2.11	
Tax A — Del Cotto	59	1	1.69	14	23.66	29	49.01	9	15.21	1	1.69	0	0	0	0	1	1.69	4	6.76	2.09	
Appel. Prac. — Desmond	18	0	0	11	61.00	7	38.85	0	0	0	0	0	0	0	0	0	0	0	0	2.61	
Sales — Girth	97	1	1.03	19	19.57	68	63.86	6	6.18	2	2.15	0	0	0	0	2	2.06	5	5.15	2.11	
Corporations — Lochner	52	0	0	0	0	40	76.80	7	13.44	2	2.84	0	0	0	0	1	1.92	2	3.84	1.77	
Corporations — Fleming	66	0	0	22	33.22	33	49.83	10	15.10	1	1.51	0	0	0	0	0	0	0	0	2.15	
Grat. Trans. — Mugel	104	0	0	47	45.10	53	50.88	0	0	0	0	0	0	0	0	4	3.84	0	0	2.47	
Labor Laws — Kochery	95	0	0	44	46.20	41	43.05	1	1.05	0	0	0	0	4	4.20	2	2.10	3	3.15	2.50	
Estate Plng. — Mugel	44	0	0	13	29.51	24	54.48	0	0	0	0	0	0	0	0	7	15.69	0	0	2.35	
Trade Reg. — Gifford	24	0	0	4	16.64	16	66.56	0	0	0	0	0	0	0	0	2	8.32	2	8.32	2.20	
Civil Prob. (Sum.) — Kochery	89	0	0	28	31.36	49	54.88	2	2.24	1	1.12	0	0	0	0	2	2.24	7	7.84	2.30	
Evidence — Katz	54	0	0	11	20.35	34	62.90	0	0	6	11.10	1	1.85	1	1.85	1	1.85	0	0	1.94	
Con. Law B — Mann	54	0	0	7	12.95	29	53.95	0	0	0	0	0	0	17	31.45	0	0	1	1.85	2.19	
Con. Law A — Hyman	100	0	0	8	8.00	76	76.00	11	11.00	0	0	0	0	2	2.00	2	2.00	1	1.00	1.96	
Fed. Tax B — Del Cotto	37	0	0	19	21.28	57	63.84	3	8.10	1	2.70	0	0	0	0	0	0	0	0	2.19	
SEMINARS:																					
Civil Rights — Mann	23	0	0	7	30.45	8	34.80	0	0	0	0	0	0	8	34.80	0	0	0	0	2.46	
Eminent Domain — Magavern	19	1	5.26	5	25.30	12	63.12	0	0	0	0	0	0	1	5.26	0	0	0	0	2.49	
School Law Clinic — Rosenberg	10	1	10.00	5	50.00	3	30.00	1	10.00	0	0	0	0	0	0	0	0	0	0	2.60	
Legal Probs. Schools — Newhouse	12	0	0	5	41.65	6	50.00	0	0	0	0	0	0	1	8.30	0	0	0	0	2.45	
Fed. Tax Policy -- Kelley	11	0	0	5	45.45	6	54.54	0	0	0	0	0	0	0	0	0	0	0	0	2.45	
Municipal Law — Kaplan	8	0	0	4	50.00	3	37.50	0	0	0	0	0	0	1	12.50	0	0	0	0	2.45	
Dispute Seminar — Galanter	22	0	0	5	22.70	13	59.02	0	0	0	0	0	0	1	12.50	0	0	0	0	2.57	
Human Rights — Euergenthal	17	0	0	6	37.28	7	41.36	0	0	0	0	0	0	3	17.64	0	0	1	5.88	2.46	
Union Democ. — Atleson	7	0	0	3	42.84	2	28.56	0	0	0	0	0	0	0	0	1	14.28	1	14.28	2.60	
Prop. & Envir. — Reis	17	0	0	2	11.76	10	58.80	0	0	0	0	0	0	5	29.40	0	0	0	0	2.16	
Education Law — Holley	20	0	0	2	10.00	9	45.00	0	0	0	0	0	0	9	45.00	0	0	0	0	2.18	
Computers & Law — Marx	12	0	0	0	0	5	41.65	0	0	0	0	0	0	0	0	7	58.31	0	0	2.06	
Urban Probs. — Donegan	10	0	0	5	50.00	3	30.00	0	0	0	0	0	0	2	20.00	0	0	0	0	2.82	
Stat Revision/Crm. Law — L. Schwartz	17	1	5.88	2	11.76	13	76.44	0	0	0	0	0	0	1	5.88	0	0	0	0	2.25	
Fed. Jur. — Katz	14	0	0	3	21.42	6	42.84	0	0	0	0	1	7.14	0	0	4	28.56	0	0	2.10	
Juven. Cts. — Teitelbaum	7	0	0	0	0	2	28.56	0	0	0	0	0	0	0	0	3	42.84	2	28.56	2.00	
Coll. Barg. — Atleson	7	0	0	3	42.84	3	42.84	1	14.28	0	0	0	0	0	0	0	0	0	0	2.28	
Metro. Comm. — Kaplan	11	0	0	3	27.27	2	18.18	0	0	0	0	0	0	5	45.45	0	0	1	9.09	2.60	
FRESHMEN:																					
Torts B — Davidson	73	0	0	9	12.33	51	69.87	7	9.59	0	0	0	0	0	0	4	5.48	2	2.74	2.03	
Torts B — Buergenthal	62	2	3.22	10	16.10	38	61.18	5	8.05	5	8.05	0	0	0	0	2	3.22	0	0	1.91	
Torts B — Kelley	63	0	0	16	25.44	42	66.78	3	4.77	0	0	0	0	0	0	2	3.18	0	0	2.21	
Contracts B — Girth	60	0	0	3	4.98	48	79.68	5	8.30	1	1.66	0	0	0	0	3	4.98	0	0	1.93	
Contracts B — Rickert	60	0	0	12	19.92	31	51.46	11	18.26	5	8.30	0	0	0	0	0	0	1	1.66	1.88	
Contracts B — Gordon	68	0	0	13	19.11	39	57.26	9	13.23	0	0	0	0	1	1.47	6	8.82	2	2.94	2.06	
Civil Pro A — Kochery	66	0	0	27	40.77	34	49.98	2	2.54	2	2.54	0	0	0	0	0	0	1	1.47	2.16	
Civil Pro A — Homburger	59	0	0	16	27.04	39	65.91	2	3.38	1	1.69	0	0	0	0	1	1.69	0	0	2.20	
Civil Pro A — Hyman	74	2	2.70	11	14.85	46	62.10	7	9.45	0	0	0	0	0	0	5	6.75	3	4.05	2.12	
Ad. Law — Gifford	89	0	0	19	21.28	57	63.84	5	6.66	0	0	0	0	2	2.24	0	0	6	6.72	2.17	
Cor. Law A —Newhouse	56	1	1.79	10	17.90	37	66.23	6	10.74	0	0	0	0	0	0	1	1.79	1	1.79	2.11	
Envir. Mgnt. — Reis	33	0	0	4	12.12	20	60.60	3	9.09	0	0	0	0	3	9.09	1	3.03	2	6.06	2.04	

On Campus

EVENTS THIS WEEK AT MAIN ST. CAMPUS

- Fri. Sept. 22 * Film *Derby*, Conf. Theatre
- Sat. Sept. 23 * UUAB Coffeehouse presents Diana Marcovitz and a collection of short films, including the classic *Oh Dem Watermelons*. 9:00, First Floor Cafeteria.
- Sun. Sept. 24 * Film: *Hellstrom Chronicles*, Conf. Theatre.
- Mon. Sept. 25 Films: Short films by Bruce Baillie including *All My Life*, *Still Life*, *Castro Street*, *Valentin de Las Sierras*. 7:00, Dief. 147.
* Concert: N.Y. Chamber Soloists. Works by Vivaldi, Britten, Carter, Powell and Couperin. 8:30, Baird Recital Hall.
- Tues., Sept. 26 Films: *She Wore a Yellow Ribbon* (starring the inimitable John Wayne) 3:00 and 9:00, and *Warning Shadows*, 7:00. Both Capen 140.
Concert: Student Noon Recital. 12 p.m., Baird Recital Hall.
- Wed., Sept. 27 Films: *Go West*, 7:00, Capen 140, *Earth*, 7:00, Trailer 2, *The Thin Man*, 9:00, Capen 140.
* Concert: Organ Trilogy with Frederick Burgomaster, works by Marcello, Searle, Genzmer, Bach, Stanley, 8:30, Baird Recital Hall.
- Thurs., Sept. 28 * Film: *Cisco Pike*, Conf. Theatre.
Films: *Silent Faith* 7:00, Dief. 147, *Mark of Zorro*, 9:00, Dief. 147.
- Fri., Sept. 29 * Film: *Cisco Pike*, Conf. Theatre.
Concert: Doctor John & Phlorescent Leech & Eddy.
- Tues., Oct. 3 Film: *Young Mr. Lincoln*, starring Henry Fonda. Free. 3:00 and 9:00 p.m., Capen 140.
- Wed., Oct. 4 Film: *Ministry of Fear*, 7:00 p.m., Capen 140. *One-Eyed Jacks*, 9:00 p.m., Capen 140.

*Indicates admission charge; Consult Norton Information (831-3541) for unlisted times.

Amtowaga

by Lucius Q. Paddlefast

LAW PROFESSOR HURTS FINGER; SICK LEAVE DISCONCERTS STUDENTS

Prof. MARK LAGGER, of the Amtowaga Law School faculty, was reported resting comfortably at the Souci Sands Hotel, Miami, after suffering an occupational disability.

Prof. LAGGER fractured his right index finger while correcting an exam paper last semester.

"I came to a particularly stupid passage in one exam paper, and I bore down too savagely on my pencil as I slashed a big fat 'U' alongside the student's answer.

"My course in Attenuated Subtleties is not that difficult that it should have evoked such an inane and inaccurate answer by that student, whoever he was."

Prof. Lager's explanation was given to this reporter on the sun-washed beach alongside the Souci Sands Hotel. The "prof," attired in the usual bermuda shorts, seemed to be making a rapid recovery from his injury as he soaked up the Florida sun. As he reclined in his beach chair, his secretary approached him several times attempting to deliver messages from Amtowaga Law School up north, where his absence has been causing a situation little short of panic.

At one point, Prof. Lager became so annoyed at the frantic efforts of his secretary that he grabbed a handful of sand and flung it at the pretty secretary's beautifully tanned body.

"Go take a running dive in the surf, will you?" exclaimed Lager in a highly exasperated tone of voice. "So my students are impatient. Well, that's their problem! So they're jumping out of the library windows and threatening to bomb the whole place to kingdom come. Well, let them! Leave me alone, my finger hurts!"

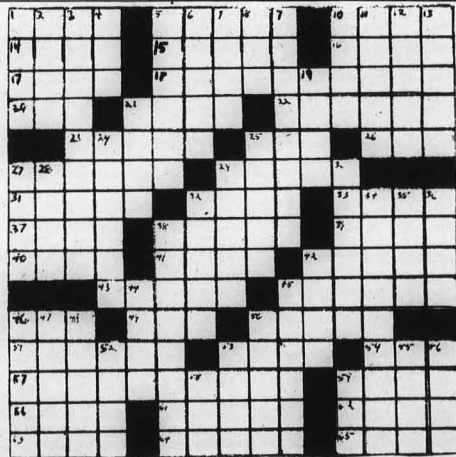
Finally, the pretty secretary gave up her efforts to communicate the student distress signals to the convalescent professor. With a sigh, she doffed her sun-glasses, hitched up her bathing suit shoulder strap, and dashed down the beach to the water.

Crossword No. 1

by Joe Kastoff

ACROSS

1. Laughter
5. La-----
10. Monkeys.
14. Expression of dismay.
15. Foreign
16. Kind of duck.
17. Slack.
18. Famous attorney.
20. Type of report.
21. Arrow poison.
22. -----town.
23. Type of victory.
25. Tea.
26. Permanent, to poet.
27. Banded.
29. Belgian city.
31. Ire.
32. Growl.
33. ----- on the back.
37. Indians.
38. One curtain.
39. Story.
40. Undiminished.
41. Evergreens.
42. Cook in a way.
43. Attempts.
45. Comedian Milton & family.
46. MDs group.
49. With presid or parlim.
50. Ooze red stuff.
51. Shaping into a certain form.
53. ----- Rabbit.
54. Part of anatomy.
57. Finale of a case handled by 18 across.
59. Foodstuff root.
60. Unkosher (var.).
61. Opened.
62. Alright.
63. Attractive.
64. Christmases.
65. Seem.



DOWN

1. College building.
2. Inter-----
3. Fictional D.A.
4. Snake.
5. Weakened.
6. Metal on shoe.
7. Breezes.
8. Spanish province (abbr.).
9. Indiscriminate place.
10. Snyder or Liebowitz.
11. Glue.
12. Speechmake.
13. Spanish man.
19. Evil.
21. Consumer.
24. Determined beforehand.
25. Cowboy gear.
27. Lee Teitel-----
28. Against.
29. Chews.
30. Turk. (var.)
32. Say hello.
34. Fictional Detective.
35. Prefix.
36. Golf equipment.
38. Nova, perhaps.
42. Jeanne Dixon.
44. With try, rocket stage.
45. Mixes.
46. Clients (abbr.).
47. Thomas-----
48. Building addition.
50. Way to cook steak.
52. Uncertain (slang).
53. Wait ones time.
55. Mideast country.
56. Hopalong Cassidy portrayer.
58. Weather word (var.).
59. Small child.

BULLETIN BOARD

Distinguished Visitors Forum

Suggestions from students and professors for proposed speakers before the Distinguished Visitors Forum and the Mitchell Lecture Series are desired. Anyone wishing to propose a speaker should contact Mike Stachowski, Tom Bailey or Professor Marc Galanter.

Freshman Wins Scholarship

Timothy M. Cotter, a freshman, was the first recipient of the recently set up Walter F. Schmieding Scholarship. The scholarship is funded through a trust fund set up by the will of Mr. Schmieding's widow, Mrs. Charlotte L. Schmieding.

The scholarship is to be awarded annually to a freshman at U.B. Law School by the incumbent president of the Erie County Bar Association.

County Bar Receives Award

At the annual ABA meeting in San Francisco, the Erie County Bar Association was awarded the Award of Merit for local Bar groups in the 800-2000 member category.

The award was made for the work done on the First Citizens Conference on Criminal Justice. Past President Philip Wagner and Calvin Udall accepted the award for the local Bar. Many law students attended the very successful conference.

The purpose of the national competition is to recognize outstanding work in the individual bar associations as well as the dissemination of information about such activities.

Placement Hours

Placement Officer Tom Hurley will be in his office at 816 Prudential all day Tuesday and Wednesday until 3:30. Appointments are suggested, and can be made at 831-4414.

On Monday, Thursday and Friday, Mr. Hurley will be available on the main campus in Hayes C.

Clark Gym Hours

All Facilities Except Aquatic:

Mon., Wed., Thurs., Fri. 3-10.
Tues. 3-7; 7-10 women only.
Sat. 9-5.
Sun. Noon-10.

Pool:

Mon., Wed., Thurs., Fri. 7-10
Tuesday, Women only 7-10
Sat. 1-3
Sun. 2-5.



Belling

An Open Letter to Law Wives

Dear Law Wife:

I would like to welcome you on behalf of the Student Law Wives Association to the school year of 1972-73.

Your future years as a wife of a Law Student can be very difficult, but progressive ones. These years can be made more enjoyable and meaningful through the friendships of other wives with common goals and interests. The Student Law Wives Association offers you this opportunity of friendship along with many interesting programs and activities throughout the year.

Your participation and attendance at the tea on October 8th, and future meetings during the year is anticipated.

We are looking forward to meeting and welcoming you to join us as a fellow Student Law Wife.

Sincerely,

Linda Drucker
President

Elections

An election will be held *Next week*, to fill six freshman SBA directorships as well as the positions of Secretary and Second Vice President.

Day Care Center

The U.B. Cooperative Day Care Center, located in the basement of Cooke Hall, is available to provide services to law students. Interested students should call 837-2000, ext. 3609.

Interpersonal Relations Seminar

A workshop in Interpersonal Relations will be held the weekend on September 29 - October 1. The cost of the weekend is \$10.00 per person. The focus of the weekend is to provide opportunities for individuals to explore the style in which they interact with others. Anyone interested in participating must call:

CAROL PORTER
831-1822
4230 Ridge Lea
Room B-32-A

immediately to arrange for a brief interview.

Bar Review Courses

Persons interested in taking bar review courses prior to the March Bar should contact John Anderson for Marino and Susan Bloom for PLI. Messages may be left at Shirleys office.

Fund Raising Picnic

The local chapter of the American Civil Liberties Union extends a warm welcome to all to their Second Annual Frantic Fund Raising Picnic on Saturday, Sept. 23, 3:00 at the Three Arrow Cottage on Grand Island.

The ACLU is currently in dire financial straits and desperately in need of financial aid. "Wonder why you didn't hear from your ACLU chapter this summer?" they ask, "Lack of funds, that's why."

To rectify this situation, tickets will be sold for \$5 per person (\$10 for couples and \$15 for families). Featured entertainment will include works by the Black Dance Workshop.

Tickets are available through the Niagara Frontier Chapter, ACLU, 1370 Main St., Bflo. 14209 or 883-0946. If you are unable to attend, donations will be gratefully accepted.

Legal Observers

Legal Observers is a group of students organized to provide impartial observers for demonstrations, leafleting or any situation which might lead to confrontation or violence. It acts to secure witnesses to arrests, harassment, etc. Members act as witnesses for arrestees and for any other purpose which requires a gathering of objective facts on a confrontation, in the hopes that the presence of these legal persons may in some situations cause a lessening of the chance of confrontation. Persons interested in working with Legal Observers may contact Bob Brosius, Chairman, or Gene Goffin for information.



Belling